



Department of Justice

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OPERATIONS MANAGER AND LAB MANAGER OF ECOLOGICAL SYSTEMS, INC. (ESI) CHARGED WITH VIOLATING THE CLEAN WATER ACT

PRESS RELEASE

INDIANAPOLIS – Michael R. Milem, 60, Westfield, Ind., and Mark R. Snow, 43, Brazil, Ind., were charged today with violating the Federal Clean Water Act. The charges arise from an ongoing criminal investigation by the U.S. Environmental Protection Agency Criminal Investigation Division, the Indiana Department of Environmental Management (IDEM), and the Indiana Department of Natural Resources, Law Enforcement Division.

The charging documents filed with the Court allege that, in February of 2009, Michael R. Milem was the Operations Manager and Mark R. Snow was the Laboratory Manager of Ecological Systems, Inc. (ESI), a company operating a Centralized Waste Treatment facility located at 4910 West 86th Street, in Indianapolis, Indiana. ESI reclaimed and re-processed used oil and oily wastewater, in addition to other liquid wastes. As a major part of its business, ESI received a wide variety of wastes by truck or rail from a number of industrial facilities, who relied on and paid ESI for the proper treatment and disposal of such wastes. Some wastes received included used oil, lubricants, coolants, oil-water emulsions, contaminated groundwater, used petroleum products, off-specification fuel, oil spill cleanup liquid, sanitary landfill leachate, etc. ESI was to treat these wastes to remove oil, solids and other pollutants prior to discharging the wastewater into the municipal sewer system under a permit issued by the City of Indianapolis' Department of Public Works.

The charging documents further allege that, on February 11, 2009, Milem, Snow and others directed lower-level employees to pump the contents of a tank containing wastewater, oil, and other waste materials through hoses that discharged the wastewater directly, without the benefit of treatment, into the sewer system.

Subsequently, oily wastewater flowed out of various sewer manholes and into the yards of several Indianapolis residents. When asked by an IDEM inspector about any by-passes at ESI, Milem and Snow allegedly advised the inspector there had not been a by-pass, knowing, in fact, there had been.

According to Assistant U.S. Attorney Gayle L. Helart, who is prosecuting the case for the government, Milem and Snow each face a maximum of three years imprisonment. In addition, Milem and Snow each face a maximum fine of \$250,000. An initial hearing will be scheduled before a Magistrate Judge in Indianapolis.

An Information is only a charge and is not evidence of guilt. A defendant is presumed innocent and is entitled to a fair trial at which the government must prove guilt beyond a reasonable doubt.

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